

**TOWN OF SALEM  
BOARD OF SELECTMEN  
June 2, 2009**

***Unapproved***

Present: R. Asafaylo, J. Fogarty, A. Krodel, R. McKenney, and R. Ross (First Selectman)

**CALL TO ORDER:**

First Selectman R. Ross called the meeting to order at 7:30 pm.

**1) APPROVAL OF MINUTES: May 5, 2009 - REGULAR MEETING**

M/S/C (Krodel/Fogarty) to approve the May 5, 2009 Salem Board of Selectmen Regular Meeting minutes amended as follows:

Page 4, under *REPORTS*, in *L) Public Safety*, add at the end of the sentence:  
..... *on state roads* "in Salem."

Page 2, under *B) Route 11 Update - P. Sielman*, in the beginning of the last sentence on the page, change: *The effected* ..... to "The affected .....".

Page 3, under *REPORTS*, in *D) Salem School Building Committee*, change:  
*reported previously on tonight's agenda.* to "reported previously in A) First Selectman's Report."

Vote: For approval - Asafaylo, Fogarty, Krodel, and Ross. For denial - no one. Abstention - McKenney.

**2) CORRESPONDENCE/PUBLIC COMMENTS:**

**CORRESPONDENCE:**

*CORRESPONDENCE* will be taken up under *REPORTS*; under *A) FIRST SELECTMAN* this evening.

**PUBLIC COMMENTS:**

- P. Sielman, 369 West Road: discussed adding the matter of having Town Meetings conducted at the Salem School to tonight's agenda.

**3) AGENDA ADDITIONS/REVISIONS:**

M/S/C (Fogarty/McKenney) to add the following to tonight's agenda:

Under *AGENDA*:

- Change items *A) through F)* to items "C) through H)",
- Add as *A)* "Town Meetings being conducted at the Salem School", and

- Add, as B) "Summer Reading Banners on Salem School and Salem Library."

Vote: approved unanimously.

#### 4) **AGENDA:**

##### A) **Town Meetings being conducted at the Salem School**

P. Sielman:

R. McKenney had made the primary presentation to the Salem Board of Education in regard to conducting Town Meetings at the Salem School.

Broadcast of the meetings would be provided through ComCast, as they are now for the Board/Commission meetings held at the Town Office Building.

The BOE voted to support the proposal and to cooperate with the BOS as long as it was at no cost to the BOE.

As a Salem representative to the Old Lyme Cable Council, at the last meeting, T. Griswold of Old Lyme, another member of the Council, requested funds for equipment such as Salem has now to broadcast their meetings live.

The Cable Council has funds (approximately \$26,000), which was to be used for legal services in regard to renewal. Renewal is no longer required.

The members present thought that perhaps this money could be distributed between the five (5) towns (\$5,000 apiece) that belong to the Cable Council.

This could be used for the required equipment.

He urged the BOS to implement this plan and recommended that a member from the BOS and the BOE work together on it.

Board concerns were of financial matters in the future with such a project.

##### B) **Summer Reading Banners on Salem School and Salem Library**

C. Nawrocki, president of the Friends of the Salem Library:

Last year he appeared before the BOS for endorsement and the PZC for approval for the placement of temporary Summer Reading Banners on the Salem School and the Salem Library for the Summer Reading Program.

In discussing the matter again with the ZEO in order to hang the banners this year, she stated that he would again have to appear for endorsement and approval of the banners.

Board discussion in regard to the possibility of the PZC making this a five (5) year permit so they would not have to appear every year.

The First Selectman stated that he would pass on this Board concern to the ZEO when he notified her of the BOS's action on this matter.

Considerable discussion as to which parties, BOE, Library Board or the Friends of the Library, should be making this request.

M/S/C (McKenney/Krodel) that the Board of Selectmen endorses the request of the Salem Board of Education, the Salem Library Board and the Friends of the Salem Library for banners to be hung on the Salem School and the Salem Library for the Summer Reading Program.

Vote: For approval - Krodel, McKenney and Ross. For denial - Asafaylo and Fogarty. Abstentions - none.

MOTION CARRIED.

**C) Transfer of \$25,000 from Capital Road Repair to Public Works Salary**

D. Bourdeau, PW Director:

Years ago it was decided that some of the road repair and road construction could be done by the Public Works Crew instead of hiring contractors and that the overtime for the work would come out of the Capital Road Repair line.

From 7/02 through 5/25:

	\$15,742.14	overtime for PW for road construction
	\$ 6,166.66	snow removal overtime
	\$ 1,398.40	two (2) weeks vacation for the person being laid off on PW
	<u>\$ 1,692.80</u>	overtime for the remainder of June
TOTAL	\$25,000.00	
	<u>- \$15,742.14</u>	amount needed to come from Capital
	\$ 9,257.86	amount, which the Board of Finance will decide from which line it will come

M/S/C (Fogarty/Asafaylo) to request the Board of Finance to transfer \$15,742.14 from the Capital Road Repair Line to the Public Works Salary Line and to support the approval for \$9,257.86 to be transferred to the Public Works Salary Line from other funds as a Supplemental Appropriation. Vote: approved unanimously.

**D) Proposed Town Center Zone Regulations**

These proposed regulation amendments are before the BOS for comment.

BOS comments concentrated on the fact that the Board felt that the regulations as proposed are not ready for public hearing; they are a good idea, but they need significant editing.

The First Selectmen stated that he would like the Board members to make their comments on their copies of the proposed regulations; turn them in to him and he would compile the comments and get them back to the PZC.

All Selectmen will also receive a copy electronically.

The Board also thought that as well as having the public hearing broadcast over cable, having it web cast would also be a good idea.

(During discussion of item E), the following item on this agenda, H. McKenney, PZC chairman, arrived at the meeting to discuss both the Town Center Zone Regulations and the Intermunicipal Agreement with the Board.

**E) Proposed Colchester/Salem Intermunicipal Agreement for a resubdivision of land that spans both towns at 50 Buckley Road**

Discussion in regard to the fact that the copy of the Intermunicipal Agreement that the Board received in their packages was not the most current one.

The PZC had made changes to the Agreement when it was last discussed by them.

At this time, H. McKenney, PZC chairman, arrived at the meeting:

He had concerns in regard to the Board's discussion of the Town Center Zone Regulations, and requested that he be allowed to address them, but would first like to address the Intermunicipal Agreement.

In regard to the Intermunicipal Agreement:

The PZC just reviewed the proposed Intermunicipal Agreement between the towns of Colchester and Salem to make recommendations. The First Selectmen of both towns need to be involved in the process because the Agreement itself would need to be approved by both the legislative bodies of Salem and Colchester.

R. Ross stated that he would contact the Colchester First Selectman to discuss the matter with her.

In regard to the Town Center Zone Regulations:

The PZC is conducting the public hearing on these proposed regulations and Zoning Map change to receive public comment.

If, after the public hearing, the Commission feels that significant changes are required, they can redraft and set another public hearing date.

**F) BOS action items in regard to the Plan of Conservation and Development**

It was the Board's consensus:

The three (3) recommendations (see attached to the filed copy of these minutes) are of no immediate benefit for the town and should be dropped.

M/S/C (McKenney/Fogarty) to inform the Zoning Enforcement Officer that the Board of Selectmen's consensus is that they feel the three (3) recommendations should be dropped. Vote: approved unanimously.

**G) Tax Collector refunds**

M/S/C (Fogarty/Krodel) that the Board of Selectmen authorizes the Town Treasurer to issue refunds as recommended and certified by the Tax Collector in the copy of the Town of Salem Summary of Tax Collector Refunds of 6/02/09. Vote: approved unanimously.

*(See copy of Town of Salem Summary of Tax Collector Refunds attached to the filed copy of these minutes.)*

**H) Other Business**

There was no *Other Business* this evening.

**5) REPORTS:**

- A) **First Selectman** - The Board of Finance has hired a new auditing firm, Marien & Company; met with E. Jutila and A. Stillman in Hartford today and talked about town funding of Resident Trooper's benefits, which may be pushed off another year, budget adjustments for ECS funding being directly sent to the schools - the only way to benefit taxpayers is to have a one time enactment to allow towns to lower their budgets by the amount sent to the schools, a state mandate that a percentage of TAR funding be used for bike paths and trails, and opening up the State Health pool to municipalities. The 09/10 Budget passed 2 to 1; the Memorial Day Parade was great; Our Town - Salem will become a Special Events magazine that will be distributed to all residents, and it will be at no cost to the town; the Probate Court regionalization is a big issue now and it is being mandated; the DOT will present the plans for the round-about at the Gardner Lake Firehouse on 6/17; Public Works has begun the resurfacing of Forsyth Road; all historic buildings owned by the town will be inspected using grant money received for the project; a trophy case, in the Town Office Building, has been donated to the town for town recreation athletic trophies.
- B) **Public Works** - D. Bourdeau, Jr., DPW - discussed NXGEN (see attached to the filed copy of these minutes); work is progressing on the resurfacing of Forsyth Road; there have been no problems, using plastic pipe, each road cut takes 4 - 5 hours; spot repairs will be done on other roads.
- C) **Building Department** - still slow.
- D) **Salem School Building Committee** - R. Asafaylo - working on community outreach.
- E) **Board of Education** - J. Fogarty - the Supervising Custodian has submitted his resignation; eighth grade graduation is June 25<sup>th</sup>; they will have no money left in

their budget to give back to the town this year due to unbudgeted legal fees and Special Education costs.

- F) **Board of Finance** - Hired a new auditor; they will form a three (3) member committee to oversee financing.
- G) **Planning and Zoning Commission** -The Colchester/Salem resubdivision has been continued to 6/16; Kobyluck has appealed the judge's decision; two (2) new commercial buildings, a medical office building and a mixed-use building (apartments on the second floor and retail/office/restaurant space with a drive-thru window) have been approved for just north of the Salem Marketplace.
- H) **Inland Wetlands and Conservation Commission** - approved PW emergency repairs to Darling Road; walked the Avery excavation (quarry) site in regard to a wetlands violation.
- I) **Economic Development Commission** - next meeting June 15<sup>th</sup>.
- J) **Zoning Board of Appeals** - granted an appeal from the decision of the Zoning Enforcement Officer for year-round use of a home on Gardner Lake Heights.
- K) **Recreation Commission** - A. Krodel - no report.
- L) **Public Safety** - took good care of the traffic from the Memorial Day Parade.
- M) **Transfer Station** - work will begin in July; Hazardous Waste Collection is being held this Saturday in Colchester.
- N) **Library Board** - R. McKenney - no report; can't get to the meetings as they are meeting too early.

6) **PUBLIC COMMENTS:**

There were no further *PUBLIC COMMENTS*.

7) **FUTURE ACTION ITEMS:**

- BOS YEARLY CALENDAR "TICKLER LIST"
- TOWN VISION
- PURCHASE ORDER POLICY
- SPECIAL EVENTS ORDINANCE

M/S/C (McKenney/Krodel) to adjourn the meeting at 9:35 pm. Vote: approved unanimously.

D. McTigue, Administrative Assistant/Recording Secretary  
R. Ross, First Selectman